

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 5:23-cr-00171

DAVON JAMIR LINDER

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDATION

On May 13, 2024, all counsel and the Defendant appeared for a guilty plea hearing. Count One charges the Defendant with knowingly and intentionally distributing a quantity of methamphetamine in violation of 21 U.S.C. 841(a)(1). [ECF 1]. The Honorable Omar J. Aboulhosn, United States Magistrate Judge, to whom the hearing was referred, filed his proposed findings and recommendation (“PF&R”) on May 13, 2024. [ECF 33]. He recommends conditional acceptance of the Defendant’s guilty plea. [*Id.* at 8]. Objections in this case were due on May 30, 2024. No objections were filed.


Accordingly, the Court **ADOPTS** the PF&R¹ [ECF 33] and **DEFERS** acceptance of the plea agreement pending sentencing. The Defendant is **ADJUDGED** guilty and convicted of violating the statute charged. All dates and case events in the PF&R are adopted.

The Court **DIRECTS** the Clerk to transmit a copy of this Order to the Defendant and his counsel, the United States Attorney, the United States Probation Office, and the Office of the United States Marshal.

¹ On page 3 of the PF&R, Magistrate Judge Aboulhosn provides the possible statutory maximum sentence that could be imposed upon Mr. Linder for a conviction or adjudication of guilty on “Count Three.” However, inasmuch as Mr. Linder pled to Count One of the Indictment, the Court notes that this should be Count One.

ENTER: June 4, 2024




Frank W. Volk
United States District Judge